

Assembly Bill No. 2189

CHAPTER 100

An act to add Section 210.5 to the Welfare and Institutions Code, relating to juvenile facilities, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor June 30, 1996. Filed with
Secretary of State July 1, 1996.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2189, Poochigian. Juvenile facilities: Tulare County.

Existing law authorizes the Department of the Youth Authority to adopt minimum standards for the construction and operations of juvenile halls. Existing law authorizes the Board of Corrections, however, to conduct annual inspections of any juvenile hall in order to determine whether the juvenile hall is a suitable place for the confinement of minors.

This bill would declare that it is in the public interest to encourage innovation and experimentation in the operation and maintenance of juvenile detention facilities. The bill would, to these ends, authorize Tulare County to undertake the construction and operation of a juvenile detention facility that shall not be subject to existing laws or regulations governing staffing ratios and housing capacity of such a facility, except as specified, subject to review and approval by the Board of Corrections, as specified.

The bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 210.5 is added to the Welfare and Institutions Code, to read:

210.5. The Legislature finds and declares that it is in the best public interest to encourage innovations in staffing ratios, maximization of housing unit size, and experimentation with innovative architectural designs and program components, designs, or operations in the operation and maintenance of new juvenile detention facilities. Therefore, to these ends, Tulare County, as a demonstration project, may undertake the construction and operation of a juvenile detention facility, to be known as the "Tulare County Juvenile Facility," that shall not be subject to laws or regulations governing staffing ratios and housing capacity for juvenile facilities except as provided in this section. Before the county proceeds with the construction and operation of the Tulare County

Juvenile Facility, the schematics and the proposed staffing patterns of this project shall be subject to review and approval by the Board of Corrections, which shall consider the proposed regulations, applicable current case law, and appropriate juvenile correctional practices in order to determine the merits of the proposal and to ensure the safety and security of wards and the staff. Any review conducted by the Board of Corrections pursuant to this section shall consider community, inmate, and staff safety, and the extent to which the project makes the most efficient use of resources. In addition, progress reports and evaluative data regarding the success of the demonstration project shall be provided to the Board of Corrections by the county.

Nothing contained in this section shall affect the applicability of the provisions of the Labor Code.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to prevent any delay in the construction and operation of a new juvenile facility in Tulare County, it is necessary that this act take effect immediately as an urgency statute.

